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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,096	02/13/2004	Shigeki Nagaya	NIT-410	6669
7590 05/14/2007 Mattingly, Stanger & Malur, P.C. 1800 Diagonal Road, Suite 370 Alexandria, VA 22314			EXAMINER PATEL, JAYESH A	
			ART UNIT 2624	PAPER NUMBER
			MAIL DATE 05/14/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/777,096

Applicant(s)

NAGAYA ET AL.

Examiner

Jayesh A. Patel

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 04/05 and 02/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4 and 8-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Elberbaum (US 7171106) hereafter Elberbaum.

1. Regarding Claim 1 Elberbaum discloses an image data recording and reproducing system in **(Fig 1)** comprising: an image data input unit **(Fig 1 Element 2)**, an ID generator for generating an ID inserted to image data from said image data input unit **(Fig 1 Element 3A)**; a plurality of image data recorders for recording said image data at **(Fig 17 and Col 15 Lines 8-9)**; and an output unit for outputting said image data recorded into said plurality of image data recorders at **(Figs 18,19 Element 70 and Element 60)**, wherein each of said plurality of image data recorders has an ID table at **(Col 14 Lines 32-57)** and an image data storage area **(Fig 1 Elements 30 and 32)**, and an ID of said ID table is matched with image data of said image data storage area based on recording position information of said image data at **(Col 4 Lines 54-67 and Col**

5 Lines 1-18).

2. Regarding Claim 2 Elberbaum discloses an image data recording and reproducing system according to claim 1, further comprising a load balancer and an output terminal unit connected to said output unit in **(Figs 17,19 Element 52)**, wherein said load balancer manages the load factor of each of said plurality of image data recorders and image data requirement from said output terminal unit is transferred to any one of said predetermined plurality of image data recorders on the bases of the load factor of each of said plurality of image data recorders at **(Col 3 Lines 4-18, Col 15 Lines 52-67 and Col 16 Lines 1-13)**. The cascade setup controls the load balance of the recorders.

3. Regarding Claim 3, Elberbaum discloses an image data recording and reproducing system according to claim 1, further comprising a sensor information input unit, and a data recording unit for recording sensor information from said sensor information input unit, wherein the ID from said ID generator is inserted to sensor information from said sensor information input unit so that said sensor information with the ID inserted is recorded into said data recording unit at **(Col 3 Lines 52-67 and Col 5 Lines 8-18)**. The playback receiver having a control circuit for selecting a playback signal from the recorder on the basis of camera identification code, name etc shows that the sensor **(camera)** is inputted by the code mixing circuits as disclosed at Col 3 Lines 63 and 64.

4. Regarding Claim 4, Elberbaum discloses an image data recording and reproducing system according to claim 1, further comprising an output terminal unit connected to said image data recorder, wherein based on a retrieval from said output terminal unit, said ID table of said image data recorder is referred to reproduce predetermined image data corresponding to an ID of said ID table matched with said retrieval at **(Col 5 Lines 3-18)**.

5. Regarding Claim 8, Elberbaum discloses an image data recording and reproducing system according to claim 1, further comprising an image data generation unit, wherein said ID generator generating the ID inserted to image data from said image data generation unit is integrated with said image data generation unit in **(Fig 1 Elements 2A and 3A)**. Elberbaum further discloses the identification code generators 3A for generating into each video signal at **(Col 6 Lines 24-33)**. Elberbaum further discloses this in **(Fig 10)**.

6. Regarding Claim 9, Elberbaum discloses an image data recording and reproducing system according to claim 3, wherein the ID inserted to image data from said image data input unit and the ID inserted to sensor information from said sensor information input unit are an ID from a shared ID generator at **(Figs 10,11 and Col 10 Lines 41-67 and Col 11 Lines 7-13)**. The code adding circuit outputs the superposed (combined) identification code (sensor) and video signal

to the transmission line. This shows that a combined Id signal is generated.

7. Regarding Claim 10, Elberbaum discloses an ID generator for generating an ID inserted to image data from an image data generation unit in **(Fig 1 Elements 2A and 3A)**, comprising; an ID generation unit for generating an ID of a successive integer **(Fig 1 Element 3A)**, said ID matching with recording position information of image data recorded in a plurality of image data recorders at **(Col 5 Lines 3-18)**, and an output unit for outputting said ID matched with image data from said image data generation unit in **(Fig 17 Elements 39,60 and 70)**.

8. Regarding Claim 11, Elberbaum discloses an ID generator according to claim 10, wherein said image data generation unit is a camera **(Fig 1 Element 2A)**, and said ID generator is integrated with said camera **(Fig 1 Element 2A and 3A combined to make Element 2)**.

9. Regarding Claim 12, Elberbaum discloses a recording and reproducing method in **(Fig 1)** for image data comprising the steps of: generating a plurality of image data at **(Fig 1 Element 2)**, and adding an identifiable ID to each of said plurality of image data **(Fig 1 Element 3A, Col 10 Lines 41-52 and Col 11 Lines 7-13)**, wherein when recording said image data with said ID added into a plurality of image data recorders **(Fig 17, Col 15 Lines 8-9, Col 6 Lines 24-34 and Col 11 Lines 48-67)**, each of said plurality of image data recorders has an ID table

(Col 14 Lines 32-57) and an image data storage area (Fig 1 Elements 30,32 and Col 2 Lines 36-67), an ID of said ID table and image data of said image data storage area are stored corresponding to recording position information of said image data at (Col 4 Lines 54-67, Col 5 Lines 1-18 and Col 3 Lines 34-38), and predetermined image data (alarm related camera signals) is reproduced (Col 2 Lines 61-62) from image data recorded into said plurality of image data recorders based on said ID to command for a video replay at (Col 5 Lines 3-18).

10. Regarding Claim 13, Elberbaum discloses a recording and reproducing method according to claim 12, further comprising the steps of: in the case of said command for a video replay, detecting the load factor of each of said plurality of image data recorders, and transferring said command for a video replay to any one of said plurality of image data recorders based on the load factor of said plurality of image data recorders at (Col 16 Lines 5-24).

11. Regarding Claim 14, Elberbaum discloses a recording and reproducing method according to claim 12, further comprising the steps of: obtaining sensor information related to said image data at (Col 16 Lines 25-30), inserting said ID to said detected sensor information, and recording sensor information with said ID into said image data recorders at (Col 16 Lines 36-67).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elberbaum in view of Ebata et al. (US 6292098) hereafter Ebata.

12. Regarding Claim 5, Elberbaum discloses an image data recording and reproducing system according to claim 1. Elberbaum also discloses generating an ID and matching the ID to get the output. Elberbaum is silent about the integer of bits (**size**) and however does not disclose wherein an integer of 40 bits or more is used for the ID outputted from said ID generator.

Ebata discloses the ID (**message packets**) having a data length of 256 bytes (**2048 bits**) for identifying the camera number list, monitor number list etc at (**Col 16 Lines 52-59**). Ebata also discloses that the camera numbers and the monitor numbers are based on the identification numbers pre assigned for each camera and the monitor at (**Col 17 Lines 9-11**). Ebata also discloses various other message packets (**Identification codes**) generating data lengths at (**Col 15 Lines 11-16 and Col 16 Lines 1-67**). Ebata also discloses that the method and system provides a more accurate, detailed and efficient communication by the nodes at (**Col 22 lines 35-38**). Both Elberbaum and Ebata are from the same field of Endeavor, therefore it would have been obvious for one of ordinary skill in

the art at the time the invention was made, to have use the data length (size) as taught by Ebata in the method and system of Elberbaum for the above reasons.

13. Regarding Claim 6, see the explanation for Claim 5.

14. Regarding Claim 7, see the explanation for Claim 5.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jayesh A. Patel whose telephone number is 571-270-1227. The examiner can normally be reached on M-F 7.00am to 4.30 pm (5-4-9). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jingge Wu can be reached on 571-272-7429. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

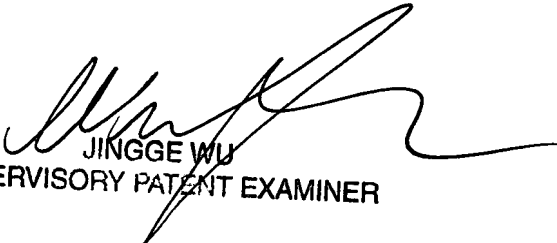
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR

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system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jayesh Patel
05/09/07

JP


JINGGE WU
SUPERVISORY PATENT EXAMINER